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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/556,129	11/09/2005	Makoto Murata	WATAB2.004APC	2860

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EXAMINER

NGUYEN, THONG Q

ART UNIT	PAPER NUMBER
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2872

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
2 MONTHS	04/27/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 2 MONTHS from 04/27/2007.

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Office Action Summary

Application No.

10/556,129

Applicant(s)

MURATA ET AL.

Examiner

Thong Q. Nguyen

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2872

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☒ Claim(s) 1-19 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 November 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>11/9/05</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. The present Office action is made in response to the pre-amendment filed on 11/9/05. It is noted that in the pre-amendment, applicant has made changes to the specification and the claims.
2. Regarding to the claims, applicant has amended claim 4 and added a new set of claims, i.e., claims 10-19, into the application. A review of the device as recited in the newly-added claims 10-19 has resulted that the device of the newly-added claims has the similar scope as that of the original claims and thus all pending claims 1-19 are examined in this Office action.

Priority

3. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

4. The listing of references in the specification is not a proper information disclosure statement. 37 CFR 1.98(b) requires a list of all patents, publications, or other information submitted for consideration by the Office, and MPEP § 609.04(a) states, "the list may not be incorporated into the specification but must be submitted in a separate paper." Therefore, unless the references have been cited by the examiner on form PTO-892, they have not been considered.

Drawings

5. The drawings contained two sheets of figures 1-5 were received on 11/9/05.

These drawings are approved by the examiner.

Specification

6. The lengthy specification which is amended by amendment of 11/9/05 has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

7. The summary of the invention is objected to because 1) it is too long and contained numerous details of the inventive device; and it compares the inventive device to the prior art. Applicant should provide a brief technical feature of the inventive device in the summary and moves other information/descriptions of the inventive device to the section of "Best Mode for carrying Out the Invention". Appropriate correction is required.

8. The disclosure is objected to because of the following informalities: a) Page 1, section [0002], applicant should provide a definition or a complete word for each of the terms "CRTs", "EIs", "TV" and "PDAs" disclosed in the section; b) Page 4, section [0013], line 1 of the section, "an convex-concave" should be changed to --a convex-concave--; c) page 14: section [0041], last line of the section, what does "SEM" mean? There are still some grammatical and idiomatic errors in the specification. Applicant should carefully proofread the specification. Appropriate correction is required.

Claim Objections

9. Claims 1-19 are objected to because of the following informalities. Appropriate correction is required.

a) in claim 1: There are three problems need to be amended. First, the phrase thereof "bowl-shaped fine resin particles having a concaved section at the particle center" (lines 3-4) has at least one grammatical error. Should the mentioned phrase be changed to --bowl-shaped fine resin particles each has a concaved section at its particle center-- or other technical terms to avoid the grammatical problem to the claim?

Second, the feature thereof "the bowl-shaped fine resin particle" (line 5) lacks a proper antecedent basis. Applicant should note that the claim recites a plurality of bowl-shaped fine resin particles as can be seen on line 3 of the claim. Thus, it is unclear which particle is recited on line 5. Should the terms "the bowl-shaped fine resin particle" (line 5) be changed to --each of the bowl-shaped fine resin particles-- or other technical terms to avoid the lack of a proper antecedent for the feature claimed? and

Third, a period must be added at the end of the claim.

b) In claim 2: There are two problems need to be amended. First, each of the features "said spherical fine resin particle" (line 2) and "said bowl-shaped fine resin particle" (lines 2-3) lacks a proper antecedent basis. Applicant should note that the claim recites a plurality of spherical and bowl-shaped fine resin particles as can be seen on line 3 of the claim 1. Thus, it is unclear which particle is

recited on line 5. Should the terms "said spherical fine resin particle" (line 2) be changed to --each of said spherical fine resin particles-- and the terms "the bowl-shaped fine resin particle" (line 5) be changed to --each of the bowl-shaped fine resin particles-- or other technical terms to avoid the lack of a proper antecedent for the features claimed? and

Second, a period must be added at the end of the claim.

c) In each of claims 4 and 10: a period must be added at the end of each claim.

d) in claim 6: on line 2, the terms "an convex-concave surface" should be changed to --a convex-concave surface--.

e) In each of claims 7 and 8: the feature "said bowl-shaped fine resin particle" lacks a proper antecedent basis. Applicant should note that the claim recites a plurality of bowl-shaped fine resin particles as can be seen on line 3 of the claim 1. Thus, it is unclear which particle is recited in each of claims 7-8. Should the terms "said bowl-shaped fine resin particle" appeared on each claim be changed to --each of said bowl-shaped fine resin particles-- or other technical terms to avoid the lack of a proper antecedent for the feature claimed?

f) In claim 11: on line 4-5 the phrase thereof "bowl-shaped fine resin particles having a concaved section at" (lines 3-4) has at least one grammatical error. Should the mentioned phrase be changed to --bowl-shaped fine resin particles each has a concaved central section-- or other technical terms to avoid the grammatical problem to the claim?

Further, the feature thereof "the bowl-shaped fine resin particle" (line 6) lacks a proper antecedent basis. Applicant should note that the claim recites a plurality of bowl-shaped fine resin particles as can be seen on lines 4-5 of the claim. Thus, it is unclear which particle is recited on line 6. Should the terms "the bowl-shaped fine resin particle" (line 6) be changed to --each of the bowl-shaped fine resin particles-- or other technical terms to avoid the lack of a proper antecedent for the feature claimed?

g) In claim 12: Each of the features "said spherical fine resin particle" (line 2) and "said bowl-shaped fine resin particle" (lines 2-3) lacks a proper antecedent basis. Applicant should note that the claim recites a plurality of spherical and bowl-shaped fine resin particles as can be seen on lines 4-5 of the claim 11. Thus, it is unclear which particle is recited on line 5. Should the terms "said spherical fine resin particle" (line 2) be changed to --each of said spherical fine resin particles-- and the terms "the bowl-shaped fine resin particle" (lines 2-3) be changed to --each of said bowl-shaped fine resin particles-- or other technical terms to avoid the lack of a proper antecedent for the features claimed?

h) The remaining claims are dependent upon the objected base claims and thus inherit the deficiencies thereof.

Allowable Subject Matter

10. Claims 1-19 would be allowable if rewritten or amended to overcome the objections to the claims under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

11. The following is a statement of reasons for the indication of allowable subject matter:

The antiglare film as claimed in each of independent claims 1 and 11 is patentable with respect to the prior art, in particular, the U.S. Patent Nos. 6,710,923 and 6,217,176 by the limitations related to the structure of the particles disposed in the film. It is noted that an antiglare device having two kind of particles disposed in a transparent resin substrate wherein the particles have their refractive indices different from that of the substrate and the particles have different shapes and size is disclosed in the art as can be seen in the each of the mentioned Patents, in particular, the Patent No. 6,710,923, see columns 5-6 and fig. 1. It is also noted that a particle or a microparticle has a bowl-shaped configuration is disclosed in the U.S. Patent Nos. 5,559,202 and 6,184,300; however, the element disclosed in each of the Patents '202 and '300 does not relate to an antiglare film having two kinds of different particles disposed in a transparent substrate as claimed. The device of the Patent Nos. '923 and '176 does not disclose the feature related to the bowl-shaped configuration of one of the particles disposed in the substrate wherein the difference in refractive indices of the substrate and the bowl-shaped particles is larger or equal to 0.03. It is noted that there is not any suggestion provided in each of the Patents '923 and '176 to combine the device disclosed in the Patents '923 or '176 with the particles having bowl-shaped configuration disclosed in each of the Patents '202 and '300.

The structure of an antiglare film having a substrate supporting two kinds of particles having spherical and bowl-shaped configurations is disclosed in each of the Pub. No. 2006/0057344 and the Japanese reference No. 2005-189258; however, the effective filing date of each of the Pub. No. 2006/0057344 and the Japanese reference No. 2005-189258 is later than the effective filing date of the present application.

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

13. This application is in condition for allowance except for the following formal matters:

See the objections to the specification and the claims as set forth in this Office action.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

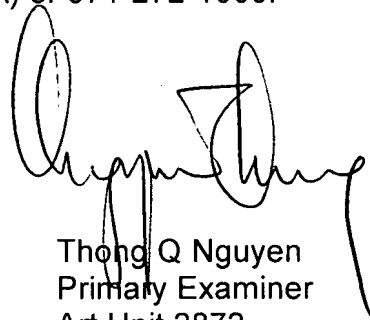
14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thong Q. Nguyen whose telephone number is (571) 272-2316. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephone B. Allen can be reached on (571) 272-2434. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Thong Q Nguyen
Primary Examiner
Art Unit 2872
